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October 20, 2003

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VIA MESSENGER

Tina Plunkett
Patent Analyst (Group Art Unite 1671)
United States Patent & Trademark Office
Crystal Mall One
1911 South Clark Place Street
Arlington, VA 22202

Attention: 7th Floor Reception - Group Art Unit 1600

Re: U.S. Patent Application Serial No. 08/479,995
Inventors: Pergolizzi et al.
For: ANALYTE DETECTION UTILIZING POLYNUCLEOTIDE
SEQUENCES, COMPOSITION, PROCESS AND KIT
Our Reference: Enz-11(C2)(D1)(C2)

Dear Tina:

Thank you for your telephone call this morning to Ronald C. Fedus, Esq., Applicants' attorney of record.

In response to your request, we are enclosing a set of the pending and submitted claims for this application. Included in the enclosed set are claims 283-362, 364-380, 382-398, 400-404, 406-439 and 441-547.

Of these claims, claims 283-362, 364-380, 382-398, 400-404, 406-439 and 441-505 are pending and subject to the interference. See PTO Communications dated March 14, 2000, March 26, 2001 and March 19, 2002.

Claims 532-547 are also subject to the interference, but we have not yet received notice from the Patent Office that these claims have been entered. Claims 532-547 were submitted in Applicants' July 23, 2003 Amendment that was filed concurrently with their Third Request For An Interference. Claims 532-545 depend variously from pending claims 283-362, 364-380, 382-398, 400-404, 406-439 and 441-505. Claim 546 is independent and claim 547 depends from claim 546.

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Please note that claims 506-531 were submitted in Applicants' January 19, 2000 Supplemental Amendment, but they were not entered by Examiner Marschel (see April 12, 2000 PTO Communication). Their non-entered status is indicated in the parentheses following the numbers for claims 506-531.

Finally, in assembling the enclosed set of claims, we noticed that twelve of the dependent claims depend from claims that are now canceled. These errors could easily be handled by Examiner's amendment (or alternatively, we could handle it at Examiner Marschel's request) as follows:

- Change the dependency in each of claims 366, 370, 374, 375 and 379 to depend from claim 443 (not canceled claim 363).
- Change the dependency in each of claims 384, 388, 392, 393 and 397 to depend from claim 444 (not canceled claim 381).
- Change the dependency in claim 402 to depend from claim 445 (not canceled claim 399).
- Change the dependency in claim 408 to depend from claim 446 (not canceled claim 405).

Please do not hesitate to contact Ronald C. Fedus or me if you have any questions or comments, or if further information is required.

Thank you.

Sincerely,


Sam Vermont

Enclosure (Consolidated Claims (as of Oct. 20, 2003))